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SUBJECT: DRC - TIP WATCH LIST INTERIM ASSESSMENT

REF: STATE 110849

1. (SBU) Summary: The GDRC has taken first steps to address human trafficking. The Congolese National Demobilization Agency (in French--Unite d'Execution du Programme National de Desarmement, Demobilisation, et Reinsertion (UEPN-DDR)) launched a national awareness campaign of zero tolerance for child soldiers in June. The Congolese Government has assisted in the demobilization of 540 children during 2008. There are no new developments with the prior year cases of Gedeon and Colonel 106. They remain in indefinite detention. In April, a FARDC officer was successfully prosecuted for recruiting child soldiers. Provincial ministries of education work closely with NGO's to reinsert children working in mines back into the formal education system. There is a growing recognition by government officials of the problem of child prostitution, however they have yet to take concrete action. The GDRC has shown a growing political will to address trafficking problems, especially at the provincial level, but additional efforts should be taken.

#### Child Soldiers

2. (SBU) The GDRC has taken positive steps in 2008 to address human trafficking. Attempting to address the problem of child soldiers, the Congolese National Demobilization Agency (in French--Unite d'Execution du Programme National de Desarmement, Demobilisation, et Reinsertion (UEPN-DDR)) launched a national awareness campaign of zero tolerance for child soldiers in Kinshasa, Goma, and Bukavu respectively on June 16, 21, and 23. Through lobbying efforts it targeted both military and political leaders. For the general public, UEPN-DDR produced sketches, public service announcements, and debates broadcasted by six radio and TV stations in July and August. According to its September 30 quarterly report of activities, UEPN-DDR also sent field teams to 23 sites throughout South Kivu, North Kivu, Katanga, and Equateur Provinces.

3. (SBU) The GDRC, along with assistance from MONUC and international NGO's, has assisted with the demobilization of 540 children this year, according to MONUC Child Protection. The children have come from all the different rebel groups, including 31% from various Mai Mai, 19% from PARECO, 19% from CNDP, 19% from FDLR factions, and the remaining 12% from other small groups.

#### Update on Prior Cases

4. (SBU) According to the United Nations Human Rights Office in the DRC (UNHRO), the Kynugu Mutanga (a.k.a. Gedeon) trial still continues in limbo after its suspension on July 1. The Lubumbashi Bar Association initiated a strike on that day to protest the arrest of four lawyers without due process. The lack of lawyers forced the Lubumbashi Military Court to postpone the trial indefinitely. The Military Prosecutor's office and the Bar Association are in current

negotiations to resolve the impasse.

¶15. (SBU) Colonel 106 continues in confinement at Makala Prison in Kinshasa, per the UNHRO. Although suspected of recruiting child soldiers, military authorities initially only charged him with rebellion and conspiring against the state following his September 2007 arrest. Authorities have not brought any new charges against him, nor has a trial date been set.

#### Successful Prosecution

¶16. (U) According to MONUC's Child Protection Division, the Bukavu Military Court sentenced FARDC Major Bwasolo Misaba to five years in prison on April 7 for recruiting children between 10 and 14 years old and for illegal use of military ranks. Per MONUC, this is only the second time that authorities have convicted a FARDC officer for recruiting children.

#### Child Labor

¶17. (SBU) Per the Ministry of Labor, the National Committee Against the Worst forms of Child Labor has finally been established. However, it has yet to take any action. The committee is awaiting approval of the 2009 budget before commencing with enforcement activities.

¶18. (SBU) Although the national government has not addressed the issues of debt bondage and child labor in the mining sector, provincial ministries of education are working with NGO's to address

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the problem. Representatives from Save the Children and Solidarity Center told us that they coordinate closely with the provincial education ministries in Mbuji Mayi, Bunia, and Lubumbashi to implement projects that aim to reinsert children working in mines into the formal education system.

#### Child Prostitution

¶19. (SBU) Government officials in Kinshasa, Goma, and Lubumbashi have told us that they recognize that child prostitution is a growing problem in the DRC. However, authorities have yet to take concrete action against it.

¶10. (SBU) Comment: Even though the GDRC faces capacity limitations in its efforts to combat trafficking-in-persons, it has shown positive steps and a growing political will to attack the problem. Although there may appear to be inaction at the national level at times, provincial officials are often at the forefront of governmental response to trafficking problems. End Comment.

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